



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Tenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.23333 of 2014

1 K.KAMU
2 KAMATCHI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP BY THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION,
DINDIGUL DISTRICT. CR. NO.756/2014. ... RESPONDENT/COMPLAINANT

PERUMULA RAMA THULASI ... INTERVENOR

For Petitioner : M/S.A.D.GANESHAMOORTHY Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)
For Intervenor : MR. N.MOHAMMED ASIF Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 323 and 379 of Indian Penal Code, in Crime No.756 of 2014, on the file of the respondent police, seek anticipatory bail.

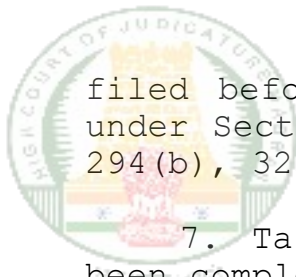
2. Heard Mr.A.D.Ganeshamoorthi, learned counsel for the petitioners, Mr.N.Mohamed Asif, learned counsel for the intervenor and Mr.A.P.Balasubramanian, learned Government Advocate (Criminal side) for the respondent State.

3. Initially, the matter was referred to the Mediation and Conciliation Centre, attached to this Bench and failure report dated 12.02.2012 has been received.

4. It is submitted that this is the case and counter and counter case has been registered in Crime No.757 of 2014.

5. The learned counsel for the intervenor very strongly objects to the grant of anticipatory bail to the petitioners.

6. The learned Government Advocate (Criminal side) would submit that the investigation has been completed and final report has been



filed before the learned Judicial Magistrate, Palani for offences under Sections 147, 294(b), 323 and 379 (NP) of Indian Penal Code @ 294(b), 323 and 379(NP) of Indian Penal Code.

7. Taking into consideration the fact that investigation has been completed and charge sheet has been filed, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioners.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani, Dindigul District, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

10/03/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI, DINDIGUL DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE, PALANI TOWN POLICE STATION, DINDIGUL
- 4 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.A.D.GANESHA MOORTHY , Advocate Sr.No. 11377

ORDER

IN

CRL OP(MD) No.23333 of 2014

Date :10/03/2015

AA/12.03.2015/2p- 6c/